

Notice of Allowability

Application No.

09/638,771

Examiner

Kathleen M. Christman

Applicant(s)

VASHI ET AL.

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3713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 05/11/05.
2. ☒ The allowed claim(s) is/are 1-3, 5, 7-14, 16-24, 26, 27 and 35-40.
3. ☒ The drawings filed on 15 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 06/27/05; 05/11/05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Michael L. Wach (54,417) on July 13, 2005.

The application has been amended as follows:

Cancel claim 15.

Replace claim 40 with the following:

40. (currently amended) A computer-readable medium having computer-executable instructions for performing the steps recited in claims 35:

using an authoring program module to create a lesson comprising a visual resource and an audio resource, the visual resource comprising controls, wherein the authoring program module is operative to:

interrogate a target screen object to identify a screen object control that is not supported by the authoring program module;

extract a screen object bit map from the target screen object corresponding to visual aspects of the target screen object that do not correspond to screen object controls that are supported by the authoring program module;

store the extracted screen object bit map as an indexed resource for later retrieval;

and

create a script instruction within the lesson for associating a function with the screen object bit map:

receiving a request for the lesson from a client computing device;

transmitting the lesson to the client computing device such that the visual resource is synchronized with the audio resource; and

receiving a response to the lesson from the client computing device.

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2. The following is an examiner's statement of reasons for allowance:

Claims 16-21 were indicated allowable in the office action dated 10/01/2003, the reason's for allowance presented is hereby incorporated by reference.

Regarding independent claims 1, 22, 35 and 40, the prior art fails to teach the combination of elements as specifically claimed. Although prior art system which include authoring programs modules and delivery features similar to those claimed these program do not include the specific functionality of the authoring program module as specifically claimed. System like that of Pellegrino do include the ability to interrogate screen objects and store bitmap files, they do not include the ability to interrogate a target screen object to identify a screen object control that is not supported by the authoring program module; extract a screen object from the target screen object corresponding to visual aspects of the target screen object that do not correspond to screen object controls that are supported by the authoring program module; store the extracted screen object as an indexed resource for later retrieval; and create a script instruction within the lesson for associating a function with the screen object bit map.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kathleen M. Christman whose telephone number is (571) 272-4435. The examiner can normally be reached on M-F 8:00-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kathleen M. Christman
July 13, 2005



XUAN M. THAI
SUPERVISORY PATENT EXAMINER

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